

DETAILED ACTION

The instant application 10/599,958 is presented for examination by the examiner. Claims 1 and 10 were amended with RCE filed 5/3/11. Claims 1-20 are pending prior to this action on the merits.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/3/11 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interview with Carl Schlier on 1/26/12.

The application has been amended as follows:

Claims 5, 14, and 20 are canceled.

Claim 1 (Currently Amended): A transmitter, comprising:
a network interface unit connected to a wireless network capable of transmitting contents for which copyright protection is necessary;
an encryption processing unit configured to encrypt contents for which copyright protection is necessary;
an RTT measuring unit configured to measure a round trip time after a predetermined packet is transmitted to a receiver, until a response corresponding to the predetermined packet is received;
a communication permission determination unit configured to permit transmission of the contents for which copyright protection is necessary when the round trip time measured by the RTT measuring unit is within a predetermined time; and
a parameter modification unit configured to change parameters of the wireless network, before the RTT measuring unit measures the round trip time, the parameters improving accuracy of the round trip time when the RTT measuring unit measures the round trip time,
wherein the wireless network is Bluetooth; and

the parameter modification unit changes at least one of a sniff interval expressing transmission and reception interval, a polling interval, transmission power and master-slave exchange prescribed by a standard of Bluetooth as parameters.

Claim 5 (Canceled).

Claim 6 (Currently Amended): The transmitter according to claim [[5]] 1, wherein the parameter modification unit sets the sniff interval shorter than a normal interval when the RTT measuring unit performs the measurement.

Claim 7 (Currently Amended): The transmitter according to claim [[5]] 1, wherein the parameter modification unit sets the polling interval shorter than a normal interval when the RTT measuring unit performs the measurement.

Claim 8 (Currently Amended): The transmitter according to claim [[5]] 1, wherein the parameter modification unit sets a transmission power weaker than a normal power when the RTT measuring unit performs the measurement.

Claim 9 (Currently Amended): The transmitter according to claim [[5]] 1, wherein the parameter modification unit reverses roles of a master device and a slave device when the RTT measuring unit performs the measurement.

Claim 10 (Currently Amended): A receiver, comprising:

 a network interface unit connected to a wireless network capable of receiving contents for which copyright protection is necessary;

 an encryption processing unit configured to decrypt contents for which copyright protection is necessary;

 an RTT measuring unit configured to measure a round trip time after a predetermined packet is transmitted to a transmitter, until a response corresponding to the predetermined packet is received;

 a communication permission determination unit configured to permit reception of contents for which copyright protection is necessary when the round trip time measured by the RTT measuring unit is within a predetermined time; and

 a parameter modification unit configured to change parameters of the wireless network, before the RTT measuring unit measures the round trip time, the parameters improving accuracy of the round trip time when the RTT measuring unit measures the round trip time,
wherein the wireless network is Bluetooth; and
the parameter modification unit changes at least one of a sniff interval expressing transmission and reception interval, a polling interval, transmission power and master-slave exchange prescribed by a standard of Bluetooth as parameters.

Claim 14 (Canceled).

Claim 15 (Currently Amended): The receiver according to claim [[14]] 10,
wherein the parameter modification unit sets the sniff interval shorter than a
normal interval when the RTT measuring unit performs the measurement.

Claim 16 (Currently Amended): The receiver according to claim [[14]] 10,
wherein the parameter modification unit sets the polling interval shorter than a
normal interval when the RTT measuring unit performs the measurement.

Claim 17 (Currently Amended): The receiver according to claim [[14]] 10,
wherein the parameter modification unit sets a transmission power weaker than a
normal power when the RTT measuring unit performs the measurement.

Claim 18 (Currently Amended): The receiver according to claim [[14]] 10,
wherein the parameter modification unit reverses roles of a master device and a
slave device when the RTT measuring unit performs the measurement.

Claim 19 (Currently Amended): A non-transitory computer readable recording
medium for storing a communication control program, the program, when executed,
causes a computer to perform a method comprising:

measuring a round trip time after a predetermined packet is transmitted to the other communication apparatus, until a response corresponding to the predetermined packet is received;

permitting transmission or reception of contents for which copyright protection is necessary when the measured round trip time is within a predetermined time;

transmitting or receiving the encrypted contents via a wireless network when transmission or reception of the contents is permitted; and

changing parameters of the wireless network, before measuring the round trip time, the parameters improving accuracy of the round trip time when the RTT measuring unit measures the round trip time,

wherein the wireless network is Bluetooth; and

the changing parameter changes at least one of a sniff interval expressing transmission and reception interval, a polling interval, transmission power and master-slave exchange prescribed by a standard of Bluetooth as parameters.

Claim 20 (Canceled).

Response to Amendment

The present claim amendments overcome the previous 35 USC §103 rejections.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior is silent in explicitly disclosing or rendering obvious the limitations of "measuring a round trip time after a predetermined packet is transmitted to the other communication apparatus, until a response corresponding to the predetermined packet is received; changing parameters of the wireless network, before measuring the round trip time, the parameters improving accuracy of the round trip time when the RTT measuring unit measures the round trip time" in combination with all of the other claim requirements. This limitation is required in each of the independent claims, 1, 10, and 19.

Allowable Subject Matter

Claims 1-4, 6-13, and 15-19 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is (571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm, EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./
Examiner, Art Unit 2431

/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2431